

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re: ) Chapter 11  
 )  
Empire Die Casting Co., Inc. ) Case No. 13-52996  
 )  
 )  
Debtor. )  
 )  
 ) Judge Marilyn Shea-Stonum

**DEBTOR'S MOTION TO CHANGE CASE CAPTION**

E.D.C. Liquidating, Inc. (f/k/a Empire Die Casting Co., Inc.) (the "Debtor") hereby moves (the "Motion") for the entry of an order authorizing the Debtor to change the caption of this case to reflect the change in the corporate name of the Debtor and hereby respectfully represents the following:

**BACKGROUND**

1. On October 16, 2013 ("Petition Date"), the Debtor filed its voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtor continues to manage its remaining property and assets as a debtor-in-possession pursuant to §§ 1107 and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in this case.

**JURISDICTION AND STATUTORY PREDICATES**

2. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicate for the relief requested herein is § 105(a) of the Bankruptcy Code.

**RELIEF REQUESTED**

3. The Debtor requests authority to change the caption of this case to reflect the change in its corporate name.

4. On October 21, 2013, the Debtor filed a motion (the "Sale Motion") to approve the sale ("Sale") of substantially all of its assets (the "Assets"). After filing of the sale motion, the Debtor selected SRS International Holdings, Inc., or its designee ("SRS") as the stalking horse bidder.

5. In connection with the Sale, on December 18, 2013, the Debtor conducted an auction of the Assets. American Light Metals, LLC, the designee of SRS ("ALM") was the successful bidder at the auction.

6. In connection with the Sale, the Debtor sold its name, Empire Die Casting Co, Inc., to ALM.

7. On December 19, 2013, the Court granted the Sale Motion approving the Sale of the Debtor's Assets to ALM. The Sale closed on December 31, 2013.

8. On February 4, 2014, the Debtor filed the necessary certificates with the Ohio Secretary of State to change its name to E.D.C. Liquidating, Inc. As a result, the Debtor requests permission to change the caption of its bankruptcy case to reflect its name change.

9. In order to completely fulfill its obligations to ALM under the APA ancillary documents, as well as to minimize any confusion, the Debtor requests authority to change the caption of this case to reflect its new corporate name, so that the caption shall become:

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re: ) Chapter 11  
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E.D.C. Liquidating, Inc. ) Case No. 13-52996  
(f/k/a Empire Die Casting Co, Inc.) )  
 )  
Debtor. ) Judge Marilyn Shea-Stonum

10. Notice of this Motion has been provided to (i) the Office of the United States Trustee for the Northern District of Ohio; (ii) counsel for the official committee of unsecured creditors; and (iii) any other party requesting notice in this case. The Debtor submits that the foregoing constitutes good and sufficient notice and that no other or further notice is required.

11. No previous application for the relief sought herein has been made to this or any other court.

WHEREFORE, the Debtor respectfully requests entry of (i) an order granting the relief requested herein, and (ii) granting such other and further relief as is just.

DATED: February 20, 2014

Respectfully submitted,

/s/ Kate M. Bradley  
Marc B. Merklin (0018195)  
Kate M. Bradley (0074206)  
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*Counsel for Debtor and  
Debtor-in-Possession*

[875957]

## **CERTIFICATE OF SERVICE**

I, Kate M. Bradley, hereby certify that on the 20th day of February, 2014, a true and correct copy of the Debtor's Motion to Change Case Caption was served:

VIA the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Notice List:

Kate M Bradley on behalf of Debtor Empire Die Casting Co., Inc., kbradley@brouse.com, tpalcic@brouse.com;mmiller@brouse.com

Frederick S. Coombs, III on behalf of Creditor Dominion East Ohio, fcoombs@hhmlaw.com

Frederick S. Coombs, III on behalf of Creditor First Energy Solutions Corp, fcoombs@hhmlaw.com

Frederick S. Coombs, III on behalf of Creditor Ohio Edison Co., fcoombs@hhmlaw.com

Devon J. Eggert on behalf of Creditor Committee Official Committee of Unsecured Creditors at deggert@freeborn.com, bkdocketing@freeborn.com

Thomas R. Fawkes on behalf of Creditor Committee Official Committee of Unsecured Creditors at tfawkes@freeborn.com, bkdocketing@freeborn.com

Bridget Aileen Franklin on behalf of Debtor Empire Die Casting Co., Inc., bfranklin@brouse.com

Brian J. Jackiw on behalf of Creditor Committee Official Committee Of Unsecured Creditors at bjackiw@freeborn.com, bkdocketing@freeborn.com

Robert R. Kracht on behalf of Other Prof. Bank of the West at rrk@mccarthyelbit.com

Richard S. Lauter on behalf of Creditor Committee Official Committee Of Unsecured Creditors at rlauter@freeborn.com, bkdocketing@freeborn.com

Henry E. Menninger, Jr. on behalf of Defendant Rookus Industrial Sales & Service, Inc. hemenninger@woodlamping.com

Marc Merklin on behalf of Debtor Empire Die Casting Co., Inc., mmmerklin@brouse.com, tpalcic@brouse.com

Christina E. Niro on behalf of Other Prof. Bank of the West, cen@mccarthyelbit.com

Scott N Opincar on behalf of Creditor FIRSTMERIT BANK, N.A., sopincar@mcdonaldhopkins.com, bkfilings@mcdonaldhopkins.com

Scott W. Paris on behalf of Creditor Allied Electric Company Inc  
bankruptcy@weinerlaw.com, sparis@weinerlaw.com

Craig W Relman on behalf of Creditor TCF Equipment Finance, Inc. at crelman@aol.com

James L Rench on behalf of Interested Party Richard P Rogel, jrench@stark-knoll.com

Donn D Rosenblum on behalf of Creditor Ohio Department of Taxation, Ohio Bureau of  
Workers' Compensation, Ohio Department of Job & Family Services  
donn.rosenblum@ohioattorneygeneral.gov

Terrence L Seeberger on behalf of Interested Party Richard P Rogel at  
tseeberger@stark-knoll.com, hlehman@stark-knoll.com;emccoy@stark-knoll.com;  
nfaddoul@stark-knoll.com

Steven D. Shandor on behalf of Creditor Steven D. Shandor Classic Tool, Inc.  
sdshandor@day-ketterer.com

Michael A. Steel on behalf of Creditor Perrin Asphalt Co., Inc., masteel@bmdllc.com,  
attysteel@gmail.com

Terrence J Steel on behalf of Interested Party The George Group Corp., terry@cowdenlaw.com

Stephanie K. Tuttle on behalf of Creditor Accu Die & Mold, Inc., stephaniet@bolhouselaw.com,  
bonnies@bolhouselaw.com

Matthew E. Wilkins on behalf of Interested Party SRS International Holdings, Inc.  
wilkins@bwst-law.com, marbury@bwst-law.com

Maria D. Giannirakis ust06 on behalf of U.S. Trustee United States Trustee,  
maria.d.giannirakis@usdoj.gov

**And by regular U.S. Mail on February 20, 2014, postage prepaid, on:**

Attorney General of Ohio, Attn: Bankruptcy Staff at 150 E. Gay Street, 21st Floor,  
Columbus, OH 43215

Euler Hermes N. America Insurance Co., Agent of Imperial Zinc Corp. at 800 Red Brook  
Blvd., Owings Mills, MD 21117

Imperial Zinc Corp., c/o David Kozin at 1031 East 103rd Street, Chicago, IL 60628

Internal Revenue Service at P.O. Box 7346, Philadelphia, PA 19101-7346

John M. Craig at 2258 Wheatlands Drive, Manakin-Sabot, VA 23103

Maintenance Employees Union Local No. 416 Pension Fund at 709 Brookpark Road, Cleveland, OH 44109

Office of the United States Attorney, Attn: Bankruptcy Section at Carl B. Stokes U.S. Court House, 801 West Superior Ave., Suite 400, Cleveland, OH 44113-1852

Office of the U.S. Trustee, Attn: Maria Giannirakis at 201 Superior Ave., East, Suite 441 Cleveland, OH 44114

Ohio Bureau of Workers' Compensation, Law Section Bankruptcy Unit, P.O. Box 15567, Columbus, OH 43215

Ohio Dept. of Job & Family Services, Office of Legal Services at 30 E. Broad Street, 31st Floor, Columbus, OH 43215

Ohio Dept. of Taxation, Attn: Bankruptcy Div. at 30 East Broad St., Columbus, OH 43215

Pension Benefit Guaranty Corp. at 1200 K Street, NW, Washington, DC 20005-4026

Robert Bosch LLC, Attn: Judith Lowitz Adler, Corporate Legal Services, N.A., (C/LSR-NAF2), 38000 Hills Tech Drive, Farmington Hills, MI 48331

Summit County Fiscal Officer, Kristen M. Scalise at Ohio Building, 175 S. Main St., Akron, OH 44308

Teamsters Local Union No. 416, c/o Dominic Tocco III, 707 Brookpark Road, #416, Cleveland, OH 44109

Sanjeev Varma, LB Advisors at 1280 Tulberry Circle, Rochester, MI 48306

/s/ Kate M. Bradley  
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Debtor-in-Possession*